

WATER LINES

NEWS FROM THE WATER RESOURCES DIVISION
OF THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

REGIONAL NEWS

WHAT THIS WINTER MAY BRING

by Jesse Aber

IF YOU'RE WONDERING WHEN WE'LL GET THE NEXT WEEKEND OF WARM WEATHER SO YOU CAN FINISH THE LAST OF YOUR OUTDOOR PAINTING, YOU MAY CONSIDER TAKING THE RIGHT WEEKDAY OFF WORK TO GET IT DONE. For most folks, the season change is welcome, since there were 28 daytime highs over the 90-degree mark this summer for Helena, with four of the eight 90-degree days of September setting all-time records. June and July's timely moisture had trailed off, along with the stock market, making way for falling streamflows and a busy fire season. Precipitation for Helena is 1/2 inches below average for August and September combined and is less than one-tenth of an inch for October going into the last week of the month. Somehow, Montana's spring wheat crop ended the season as one of its best.

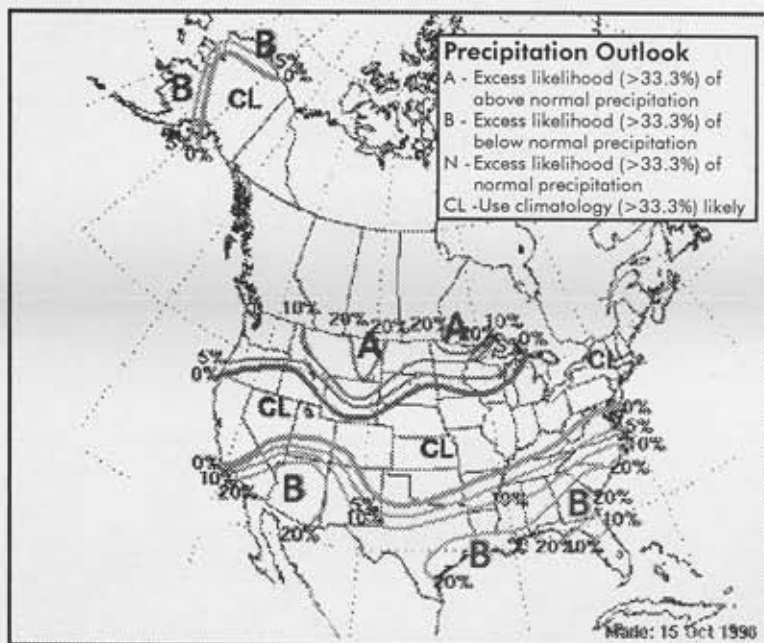
So, will 1998's El Niño give way to a "normal year," or is there another climate anomaly underway? Climatologists at the National Climate Prediction Center (CPC) claim with a **high** degree of confidence that a La Niña, or "cold" event, is brewing along the equator off the west coast of South America, the same place where climate's other wayward child, El Niño, is born. The same Pacific waters that were overheating in early 1997 are now becoming cooler than normal as the easterly trade winds, noticeably absent for most of 1998, are once again turning the ocean

waters over, resuming the upwelling of deeper, cold currents. Cold sea-surface water temperatures are believed to be the driving force behind La Niña, just as abnormally high sea-surface water temperatures are a precursor for El Niño.

Like El Niño, La Niña conditions are more predictable for Montana in winter than in summer. However, a La Niña event is dynamic during winter when compared to an El Niño, which is relatively static during winter months.

During an El Niño, the jet stream splits into northern and southern branches, leaving Montana in the inactive zone between the branches. In contrast, La Niña's jet stream typically snakes north and south across the state, acting as an agent for continual change. During El Niño events, Montana has warmer and drier winters, and the southwest United States has colder and wetter

winters. During La Niña winters, the northwest and northern Great Plains tend to get more of what is normally expected — colder temperatures and more precipitation than usual, and the southwest and southern Great



Precipitation outlook for November, December and January

Plains are warmer and drier than normal.

Both "cold" and "warm" events rarely begin to take effect before winter, so don't be surprised if we have a pleasant fall. La Niña typically has its greatest impacts during the period of January through March.

(Continued on page 5)

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION — WATER RESOURCES DIVISION

"To provide the most benefit, through the best use, of the state's water resources for the people of Montana."

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WATER RIGHTS BUREAU NEW APPROPRIATION PROGRAM

by Rita Nason

THE WATER RIGHTS BUREAU IS ONE OF FOUR BUREAUS WITHIN THE WATER RESOURCES DIVISION. Its mission is to ensure the orderly appropriation and beneficial use of Montana's waters. The bureau's sixteen employees work to accomplish this mission through involvement in two programs: the Adjudication Program and the New Appropriations Program.

The New Appropriations Program administers and regulates post-1973 appropriations of water. The primary functions of this program are to (1) set policy and guidelines to

determine whether applicants for new permits have met all statutory criteria for permit issuance, (2) provide guidelines on public notice of new applications and mitigation of any objections filed against applications, and (3) provide assistance to the eight Water Resources Regional offices.

On August 24, 1998, Shaunda Hildebrand was hired to the position of new appropriations program manager. Shaunda brings enthusiasm and experience to the Water Rights Bureau. For the past nine years, Shaunda has worked for three conservation districts and was

involved in several watershed planning groups, the Superfund site and ARCO in Anaconda, and the Governor's Upper Yellowstone River Task Force. Shaunda not only enjoys working with landowners and water issues, but finds it challenging and rewarding. The bulk of her experience in water-related issues has been through local watershed activities, working with farmers and ranchers, and administering the Natural Streambed and Land Preservation Act of 1975.

If you have any questions, you can contact Shaunda at: (406)444-6618 shildebrand@state.mt.us

MILK RIVER BASIN "KNOW YOUR WATERSHED" VIDEO

by Kraig VanVoast

AS PART OF THE PREPARATIONS FOR A JANUARY 1999 "KNOW YOUR WATERSHED" WORKSHOP FOR THE

nine days taping footage along the Milk River in Montana, Saskatchewan, and Alberta. Presently, members of a Milk River Watershed Video subcommittee are collaborating with the MSU video crew to produce Phase One of a two-part video project. This first film is designed to be a 15-25 minute "tour" of this very large watershed.

Phase Two of the project calls for integrating the substantive information

provided at the January 1999 "Know Your Watershed" workshop into Phase One's video "tour" to create a longer, more educational video that addresses the priority needs identified by a committee of 39 interested residents of the Milk River watershed. Planners envision adding 45-65

minutes of video for a completed product of 60-90 minutes (including Phases One and Two.)

The purpose of the project is to increase awareness, knowledge, and understanding of the watershed, its diverse users, and the complex, international management regime. There are two primary project goals:

- To provide an overview of the Milk River basin to substitute for a "walk" through the watershed
- To create a stand-alone educational video for long-term use with various audiences, especially residents of the Milk River watershed

The U.S. Bureau of Reclamation and the Department of Natural Resources and Conservation have provided initial funding for the project, along local sponsors including Walleyes Unlimited, North-Central Stockgrower's Association, and Glasgow Irrigation District. For more information contact:

Mary Ellen Wolfe
Montana Watercourse, MSU
(406) 994-1910
mwolfe@montana.edu



A film crew shooting video for the Milk River Video on Signal Butte south of the confluence of the Milk and Missouri Rivers.

MILK RIVER BASIN OR WATERSHED, AN EDUCATIONAL VIDEO FOR YOUTH AND ADULT RESIDENTS OF THE BASIN IS CURRENTLY BEING CREATED. During June, a Montana State University (MSU) video production crew spent

Photo by Mike Daily

DEADMAN'S BASIN CABIN SITE AREA SOLD

Allan Kuser and Tim Kuehn

ON JULY 13, 1998, THE STATE WATER PROJECTS BUREAU SOLD AN 82-ACRE TRACT OF PROPERTY NEAR DEADMAN'S BASIN RESERVOIR TO THE BASIN CABIN OWNERS ASSOCIATION.

The reservoir, located in Wheatland County, was completed in 1941 with the primary purpose to provide irrigation water, but it does offer recreational opportunities to the public. Soon after completion of the reservoir, individuals were establishing unauthorized camp-sites along the southeast shore. In 1963, the State Water Conservation Board (SWCB) entered into a 30-year lease with the Department of Fish, Wildlife and Parks (DFWP) to develop recreational facilities at the reservoir. During this period, DFWP developed the cabinsite area into 47 lots that were subleased to members of the public. In 1995, DFWP terminated the cabinsite lease with the Department of Natural Resources and Conservation (DNRC), successor in interest to the SWCB, but retained a lease on the Fishing Access Site (FAS) at the reservoir.

DNRC felt, due to its limited ability to increase lease revenue and lack of personnel to manage the leases, that the leases did not justify the responsibility of administering the cabinsites. In addition, the cabinsite area provided no public benefit to anyone other than the lessees. Negotiations between DNRC and the lessees were conducted to define the terms of sale. Issues surrounding the sale included protecting the Deadman's Basin Water Users Association's control of reservoir operations, determining fair market value and sale of public land. Additionally, subdivision requirements,

including septic and water well spacing, were discussed with the Department of Environmental Quality.

An environmental assessment was made available to the public for review and comment. After finding no significant impacts, DNRC sold the property to the cabin owners's



Deadman's Basin Reservoir cabinsite area.

File Photo

association for the appraised value of \$78,000. The funds were deposited in the Resource Indemnity Trust account.

To ensure minimal future impacts, the cabinsite area is restricted with the following conditions: (1) the property is owned by the Association and not individuals, (2) the area cannot be further divided into more sites, (3) there will be no commercial development on the property, (4) a flood easement was reserved to allow operation of the reservoir during flooding conditions, and (5) a public road easement provides public access to DNRC land beyond the cabinsite area. If any of the restrictions are violated, the property could revert back to DNRC.

The FAS and all unrestricted DNRC property at the Deadman's Basin Reservoir remain open for public recreation. DFWP has made significant improvements at the site including road grading, new vault toilets and a new boat access.

WATER ON THE WEB

by Brent Winters

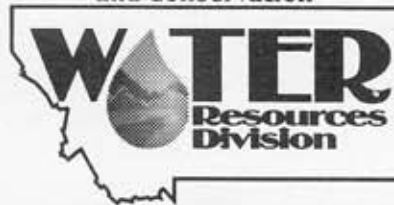
THE WATER RESOURCES DIVISION ANNOUNCES THE AVAILABILITY OF DIVISION-RELATED INFORMATION AND DATA ON THE WORLD WIDE WEB (WEB). The web address for the division is: <http://www.dnrc.mt.gov/wrd/home.htm>

Several locations on the web offer information and data regarding water and water-related issues. The four bureaus which comprise the division — Water Rights, Water Operations, Water Management, and Water Projects — are making an effort to make information and data available to the public. In addition to the information provided in the web site, the division offers a considerable amount of text-based information via its file transfer protocol (ftp) site located at:

<ftp://flathead.dnrc.mt.us/water>

Recognizing the value of the Internet and the web as an information dissemination tool, the division has implemented a public internet access program in seven of its regional offices (Billings, Bozeman, Glasgow, Havre, Kalispell, Lewistown, and Missoula,) as well as the Helena Regional Office. Personal computers have been placed in public records rooms to provide the public with an opportunity to access division information and data on the Web. The division hopes this program will enhance and improve the general public's accessibility to division information and data. The web site is continuously evolving, so stay tuned for further developments.

The Montana
Department of Natural Resources
and Conservation



"To provide the most benefit, through the best use, of the state's water resources for the people of Montana."

RICHARD OPPER AND THE MISSOURI RIVER BASIN ASSOCIATION

RICHARD OPPER HAS SPENT THE PAST 25 YEARS WORKING IN THE NATURAL RESOURCES FIELD. He grew up in Oklahoma and completed his undergraduate work at Oklahoma State University. The day after graduation, he traded up by moving to Montana, where he received his M.S. in Environmental Sciences in the late 1970s from Montana State University.

After graduation, he worked as a natural resource consultant for a Billings-based engineering firm. During the mid-1980s, Mr. Oppen spent several years in New Mexico, where he worked on public lands grazing policies and served as a natural resource planner for ranchers, environmental organizations, and government resource agencies. There, he helped found a nonprofit organization to help resource managers overcome the loss of lands to erosion, overgrazing, and general declines in productivity. Oppen worked with Allan Savory, a man regionally known for his brilliant ecological and eccentric approaches to land management. Oppen also worked as a resource manager for a coalition of New Mexico's Indian Pueblos.

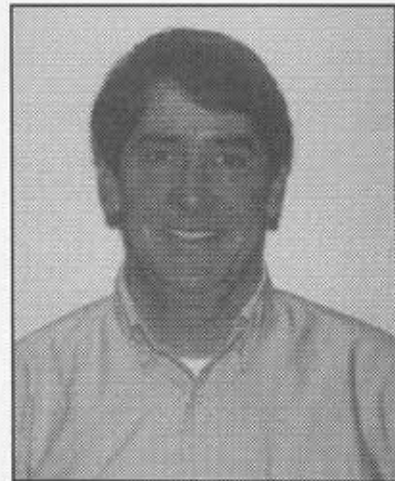
In the late 1980s, Mr. Oppen returned to Montana to serve as the executive director of the Missoula-based Northern Lights Institute, a nonprofit organization that focuses on resolving natural resource management disputes in the western United States. In July 1990, Mr. Oppen was hired as the executive director of the Missouri River Basin Association (MRBA), a job he continues to hold.

MRBA is a coalition of states and Indian tribes in the Missouri River basin. Eight states — Montana, Wyoming, North Dakota, South Dakota, Iowa, Kansas, Nebraska, and Missouri — are represented on MRBA's governing board. The governor of each state appoints a person from that state to serve on MRBA's Board of Directors.

Representing Montana is Mr. Bud Clinch, the director of the Montana Department of Natural Resources and Conservation. Mr. Clinch is also currently serving as the president of MRBA's board and is helping guide the association through some of its most productive years. The 28 tribes scattered throughout the Missouri River basin are represented on MRBA's board through Mr. Richard Bad Moccasin, the executive director of the Mni Sose Tribal Water Rights Coalition.

In 1995, the U.S. Corps of Engineers published its "Preferred Alternative" to the *Missouri River Master Manual*. The master manual is the document that guides the Corps' management of the river through major events like floods and droughts. Following the drought in the late 1980s, which saw precipitous drops in the Missouri River's mainstem reservoirs like Fort Peck, the Corps undertook its first major revision of the master manual in 30 years. The proposed new operating plan published by the Corps met with widespread disapproval. In an effort to develop a plan more acceptable to the basin's states and tribes, the Corps asked MRBA to develop elements of a river operating plan that people in the basin could live with.

Since then, the association has been working on a two-phased planning process. The first phase looked at everything except flows, the one issue that has always divided the basin's states. The planning process involved two basin-wide conferences and numerous meetings with small groups of navigators, recreators, fish and wildlife proponents, and other river users. Phase 1 culminated with the publication of MRBA's *Missouri River Planning Recommendations* last April. The document lists a variety of recommendations designed to improve the overall economic and environmental conditions in the basin. It has been met with approval



Richard Oppen

by the basin's states, federal management agencies, and Congress, which has already implemented several of its suggestions. Copies of the document are available through the MRBA office at P.O. Box 301, Lewistown, MT 59457, (406) 538-4469.

The association has now begun to turn its attention to the difficult and divisive issue of river flows. The Corps recently published a range of eight alternatives for managing the Missouri River. Some of those alternatives emphasize environmental concerns, while some focus on conserving water during a drought. MRBA will be holding a basin-wide conference in Kansas City on December 14-15 to focus on some of these critical flow issues. The goal is to develop a water flow plan that will help recover the basin's threatened and endangered fish and bird species, while not causing undue harm to existing uses of the river.

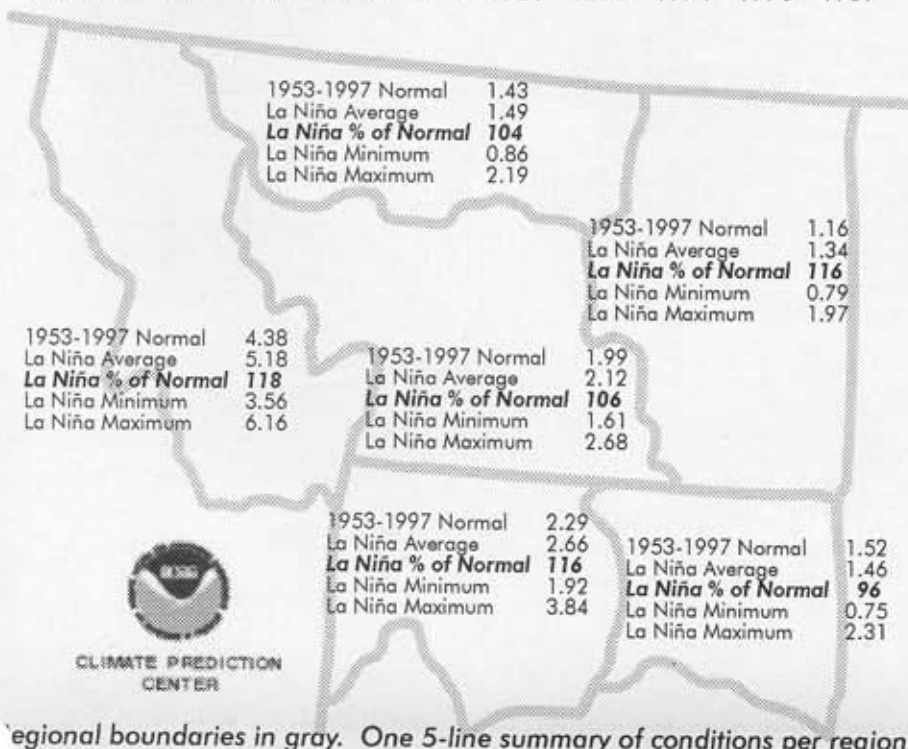
The Corps of Engineers has been very supportive of the association's collaborative planning efforts. With its support, and the efforts of water users throughout the basin, perhaps we can resolve the issues that have long divided the basin's constituent — just in time for the anniversary of Lewis and Clark's celebrated journey up our beloved and hard working river. 🍷

WHAT THIS WINTER MAY BRING

(Continued from page 1)

Regional La Niña Precipitation Statistics (inches -- Northern Rockies)

DEC-FEB 1934 1943 1950 1951 1956 1971 1974 1976 1989



Regional boundaries in gray. One 5-line summary of conditions per region.

Temperatures should fluctuate like most winters, but cold spells may last longer and may be colder. January, February, and March are likely to be snowier than usual, particularly in the western half of the state, where mountain ranges cause the western flow of moisture to rise and then fall in the form of snow. Our last official La Niña was the winter of 1988-89, which was colder than average from January through March.

Accordingly, the CPC's 90-day precipitation forecast for November through January shows the center of the anomaly directly over Montana, ranging from 5 to 20 percent above average. Temperatures for the same period will be average except for northeastern Montana, which will be about 5 percent colder than average.

I'm anxious to see whether the CPC can predict this winter's weather as well as it did the El Niño event of 1997-98. Skiers, it could be another big powder year, and a good water year for everyone.

MONTANA'S GROUND WATER PLAN

by Jim Robinson

THE PUBLIC COMMENT PERIOD ON THE DRAFT MONTANA GROUND WATER PLAN IS OPEN AND WILL CONTINUE UNTIL DECEMBER 24, 1998. The draft plan was developed in response to concerns identified by citizens at public scoping meetings and as a result of a recommendation of the 1992 State Water Plan Section: Integrated Water Quality and Quantity Management.

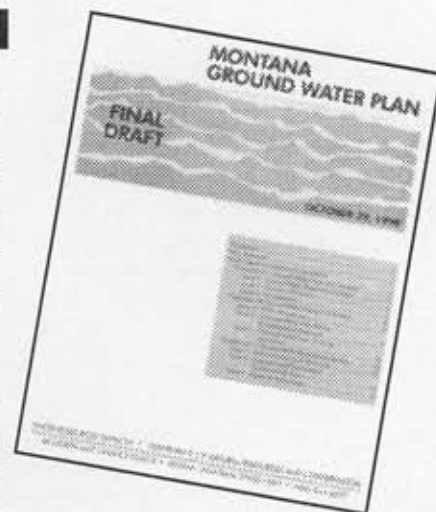
Initial work on the draft plan began in 1992. A newly formed Ground Water Work Group resumed work on the plan in 1998 by building on the information collected by the original planning committee. Comments on the draft plan were again solicited from members of the public, special interest groups, and agency specialists through targeted mailings. Public meetings were held in major cities around the state. Finally, a series of collaborative editing sessions were held by the

Ground Water Work Group to develop consensus language for the draft plan's recommendations and implementation provisions.

As part of the formal adoption process, the department has scheduled public hearings to receive comment on the draft plan at the following dates and locations:

- ☐ December 10, 1998
7:00 p.m. to 9:00 p.m.
Missoula Public Library
301 East Main, Missoula
- ☐ December 16, 1998
7:00 p.m. to 9:00 p.m.
DNRC Bannock Conference Room
1625 Eleventh Avenue, Helena
- ☐ December 17, 1998
7:00 p.m. to 9:00 p.m.
Parmly-Billings Public Library
510 North Broadway, Billings

Interested parties are encouraged to comment on the draft plan either



orally at the public hearings or in writing. Comments must be received by December 24, 1998. To submit comments or request copies of the draft plan, please contact Jim Robinson, DNRC, P.O. Box 201601, Helena, MT 59620-1601; telephone (406) 444-4247; or e-mail jrobinson@mt.gov. Also, the draft plan can be accessed through the DNRC web site at: http://www.dnrc.mt.gov/wrd/gw_plan.htm

MONTANA'S STATEWIDE ADJUDICATION

by Rita Nason

THE WATER RESOURCES DIVISION IS WORKING WITH THE MONTANA WATER COURT TO SPEED UP THE ADJUDICATION PROCESS. Since 1992, six basins have been decreed, at a rate of one decree per year. The division and the water court are determined to pick up the pace of adjudication by committing additional employees and time to the effort.

On September 22, 1998, DNRC issued its *Summary Report for Basin 43Q* to the Montana Water Court. The water court has completed its review of the report, and issuance of a Basin 43Q decree should occur within the next few months.

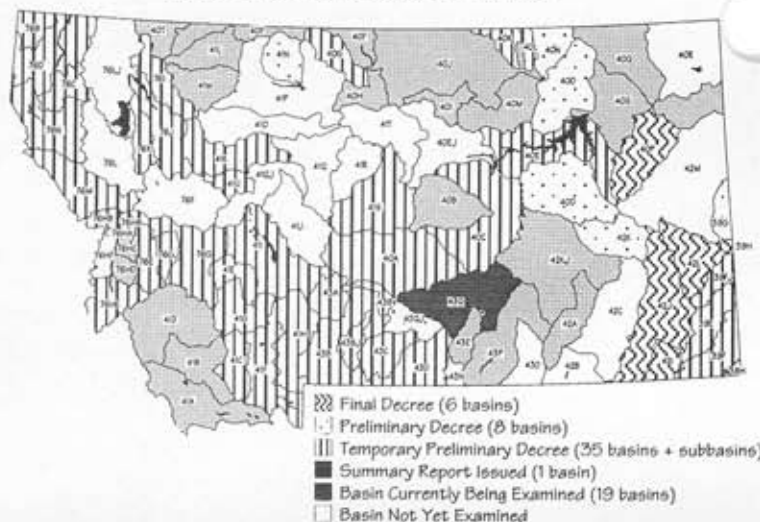
Currently, claim examination is complete in eight basins and decree preparation could begin. Those basins are: 40F, 40H, 40I, 40J, 40M, 40Q, 40S and 40T.

Judy Jeniker, water resource specialist in the Kalispell Regional

Office, has begun preparing DNRC's *Summary Report to the Water Court for Basin 40Q*. For the past seven years, Judy has primarily worked in the New Appropriations Program, but is very familiar with the Adjudication Program.

From November 1983 to November 1991, Judy was the Adjudication Specialist in the Kalispell office and has experience in claims examination and summary report preparation. Judy anticipates that DNRC's *Summary Report for Basin 40Q* will be ready to present to the water court in February 1999.

Status as of October, 1998



In addition to Judy's work in Basin 40Q, efforts to prepare DNRC's *Summary Report for Basin 40S* are also underway. Rita Nason, adjudication program coordinator, and Bob Arrington, adjudication program advisor, are devoting time to this project and anticipate completion of the report by March 1999.



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